



Miedel & Mysliwiec LLP

November 12, 2020

**VIA ECF**

Hon. Laura Taylor Swain  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**RE: United States v. Andrei Tyurin**  
**15-Cr-333**

Dear Judge Swain:

The parties jointly request the Court to conduct Mr. Tyurin's sentencing on November 17, 2020. The parties further request that the sentencing be conducted remotely, by video conference. I have discussed this issue with Mr. Tyurin, and he waives his personal appearance and agrees to participate in his sentencing by video.

In-person sentencing proceedings present practical difficulties and potential risks during this COVID-19 epidemic. The parties therefore believe that sentencing Mr. Tyurin remotely at this time is permitted by the Constitution, the federal rules, and the CARES Act. Mr. Tyurin was extradited to the United States on September 7, 2018, after 9 months of incarceration in the Republic of Georgia. He has spent nearly three years in pretrial detention. For the last two years, he has been detained at the MCC and MDC, facilities designed to hold pretrial detainees short term. Mr. Tyurin faces no mandatory minimum term of incarceration. It is therefore in his interest to conclude his case so that he can be deported back to his country of origin, or so that he can be transferred to a more permanent BOP facility to begin his process of rehabilitation and to prepare himself for his release. It is also in the interests of law enforcement and the BOP to free up space at the MDC for people being detained after their arrests so as to prevent transfers of SDNY detainees to Westchester County and New Jersey. Accordingly, the parties respectfully request the sentencing to be held remotely on or about the current sentencing date.

Thank you for your consideration.

Sincerely,

/s/

Florian Miedel

cc: AUSA Eun Young Choi